
OLR Bill Analysis

HB 5666

AN ACT CONCERNING THE FORFEITURE OF MONEYS AND PROPERTY RELATED TO SEXUAL EXPLOITATION AND HUMAN TRAFFICKING.

SUMMARY:

This bill adds funds and property related to prostitution and 3rd degree promoting prostitution to the types of property subject to forfeiture as tainted funds and property related to sexual exploitation and human trafficking. Under existing law, the crimes that trigger these procedures are:

1. the portion of the risk of injury to a minor statute involving sale of a child younger than age 16;
2. 1st or 2nd degree promoting prostitution;
3. enticing a minor using an interactive computer;
4. voyeurism, disseminating voyeuristic material, and employing or promoting a minor in an obscene performance;
5. human trafficking; and
6. importing child pornography.

By law, funds and property related to these crimes are subject to forfeiture if they are:

1. money used or intended for use in one of these crimes;
2. property constituting the proceeds obtained, directly or indirectly, from one of these crimes;
3. property derived from the proceeds obtained, directly or indirectly, from any sale or exchange for pecuniary gain from

these criminal violations; and

4. property used or intended for use to commit or facilitate commission of one of these crimes for pecuniary gain.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Prostitution

A person age 16 or older commits this crime when he or she engages, or agrees or offers to engage in, sexual conduct with someone for a fee. Prostitution is a class A misdemeanor punishable by up to one year in prison, a fine of up to \$2,000, or both.

3rd Degree Promoting Prostitution

A person commits this crime when he or she knowingly advances or profits from prostitution. This crime is a class D felony punishable by up to five years in prison, a fine of up to \$5,000, or both.

Related Bills

sSB 871, reported favorably by the Judiciary Committee, expands the types of property that can be seized and forfeited related to sexual exploitation and human trafficking crimes by eliminating a requirement that certain conduct related to the property be committed for pecuniary gain.

sSB 1158, reported favorably by the Judiciary Committee, (1) adds commercial exploitation of a minor as a crime that can be a basis for forfeiting property related to sexual exploitation and human trafficking crimes and (2) requires depositing any proceeds left after publicly auctioning forfeited property and paying required costs in the Criminal Injuries Compensation Fund, rather than the General Fund.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 44 Nay 0 (04/19/2013)

